IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

BONGO PRODUCTIONS, LLC, et al.,)	
Plaintiffs,)	
**)	Civ. Action
V.)	No. 3:21-cv-00490
)	Judge Trauger
CARTER LAWRENCE, et al.,)	
Defendants.)	
)	

MOTION TO ALLOW COUNSEL TO PARTICIPATE IN CASE MANAGEMENT CONFERENCE BY TELEPHONE

Plaintiffs move the Court to allow counsel for Plaintiffs Emerson J. Sykes and Stella Yarbrough to participate by telephone in the August 23, 2021 Case Management Conference.

- 1. The initial Case Management Conference is set in this matter before Judge Trauger at 3:00 PM on Monday, August 23, 2021 in her courtroom in Nashville, Tennessee.
- 2. Thomas H. Castelli will appear in person at the Case Management Conference as lead counsel for Plaintiffs.
- 3. Attorneys for Plaintiffs, Emerson J. Sykes and Stella Yarbrough, respectfully request permission to attend the case management conference via telephone.
- 4. Mr. Sykes is admitted *pro hac vice* and maintains his office in New York, NY. He will not be able to travel to Tennessee to appear in person.
- 5. Ms. Yarbrough maintains her office in Nashville; however, she does not plan to attend the conference under the present circumstance of the COVID-19 pandemic to avoid crowding the courtroom.

- 6. While Mr. Castelli will be in the courtroom to conduct the conference on behalf of Plaintiffs, both Mr. Sykes and Ms. Yarbrough would like to listen to the Case Management Conference and be available to provide information if requested by the Court.
- 7. Pursuant to Local Rule 7.01(a)(1), counsel for Plaintiffs has conferred with counsel for the Defendants regarding this motion. Counsel for Defendants advises that they do not oppose participation by Plaintiffs' counsel via telephone.

Wherefore, Plaintiffs respectfully request that this Court grant this motion and allow counsel for Plaintiffs Emerson J. Sykes and Stella Yarbrough to participate in the Case Management Conference by telephone.

Dated: August 19, 2021

Respectfully submitted,

/s/ Thomas H. Castelli
Thomas H. Castelli (No. 24849)
Stella Yarbrough (No. 33637)
American Civil Liberties Union
Foundation of Tennessee
P.O. Box 120160
Nashville, TN 37212
Tel: (615) 320-7142
tcastelli@aclu-tn.org
syarbrough@aclu-tn.org

Rose Saxe*
Emerson Sykes*
American Civil Liberties
Union Foundation
125 Broad Street, 17th Floor
New York, NY 10004
Tel: (212) 549-2500
rsaxe@aclu.org
esykes@aclu.org

Attorneys for Plaintiffs

*Admitted *pro hac vice*

CERTIFICATE OF SERVICE

I hereby certify that on August 19, 2021, a true and correct copy of the foregoing motion was served on the Tennessee Attorney General's Office, counsel for all Defendants, via the Court's ECF/CM system.

Alexander S. Rieger
Rainey A. Lankford
Office of the Attorney General and Reporter
P.O. Box 20207
Nashville, Tennessee 37202-0207
Alex.rieger@ag.tn.gov
Rainey.lankford@ag.tn.gov

/s/ Thomas H. Castelli
Thomas H. Castelli